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<small>Attorney or Party Name, Address, Telephone &amp; FAX numbers, and California State Bar Number</small> <b>ALBERT, WEILAND &amp; GOLDEN, LLP</b> Lei Lei Wang Ekvall, State Bar No. 163047 650 Town Center Drive, Suite 950 Costa Mesa, CA 92626 Telephone: (714) 966-1000 Facsimile: (714) 966-1002 Attorneys for Heide Kurtz, Chapter 7 Trustee		<small>FOR COURT USE ONLY</small> <b>FILED</b>  01 JUL -6 PM 3:10  CLERK, U.S. BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA  BY _____ DEPUTY CLERK
<b>UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA</b>		
In re:  MODERN EQUIPMENT SYSTEMS COMPANY,  Debtor(s).	CASE NO. LA 01-23443 KM	

## NOTICE OF SALE OF ESTATE PROPERTY

<b>Sale Date:</b> TO BE SET	<b>Time:</b> TO BE SET
<b>Location:</b> TO BE SET	

Type of Sale: ☒ Public ☐ Private Last date to file objections: TO BE SET

Description of Property to be Sold: Machinery, vehicles, and food processing equipment.

Terms and Conditions of Sale: See attachment.

Proposed Sale Price: See attachment.

Overbid Procedure (If Any): N/A

If property is to be sold free and clear of liens or other interests, list date, time and location of hearing:

Contact Person for Potential Bidders (include name, address, telephone, fax and/or e-mail address):

ALBERT, WEILAND & GOLDEN, LLP

Attn: Lei Lei Wang Ekvall, Esq.

650 Town Center Drive, Suite 950

Costa Mesa, CA 92626

Telephone: (714) 966-1000

Facsimile: (714) 966-1002

Date: July 6, 2001

## **TERMS AND CONDITIONS OF SALE**

The terms of the proposed auction are summarized as follows:

1. Following advertising and pre-auction public viewing, the Equipment will be sold piecemeal to the highest bidder at the auction sale, without limit and without reserve.
2. The sale is expected to be held in late July or early August, 2001, at the Debtor's business premises located at 10940 Garfield Place, Southgate, California, and at the adjacent storage yard.
3. Ostrin & Ostrin Co. ("Ostrin"), the Trustee's auctioneer, will be allowed:
  - (a) An expense allowance for its marketing campaign not to exceed \$4,500;
  - (b) Labor and sale preparation (including pre-auction set-up, utilization of additional temporary help and post-auction check-out) not to exceed \$6,000;
  - (c) Power and electricity for the Premises not to exceed \$500;
  - (d) Single auction performance bond premium not to exceed \$500; and
  - (e) A 10% buyer's premium to be added to the cost of each sale but which will not be paid from the proceeds of the auction.
4. Ostrin will be responsible for the collection of money from the purchaser, providing a bill of sale to buyers, and providing the Trustee with an itemized expense report, sold item report, and a check for net proceeds.
5. Ostrin will collect all gross proceeds of the sale and will pay all applicable sales taxes. Ostrin will turn over the net proceeds (gross proceeds less applicable sales taxes) to the Trustee following the auction. In compliance with Federal Rule of Bankruptcy Procedure 6004(4) and Local Bankruptcy Rule 2016-1(1)(a), Ostrin will file a sold item and expense report ("Report") with the Bankruptcy Court and serve a copy of the Report on the Office of the United States Trustee. The Trustee shall be authorized to pay Ostrin's expenses without further order of the Court.